

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of)	
)	
Inventor(s): Paul WIGHT)	Confirmation No. 3209
)	
Appln. No. 10/530,894)	Group Art Unit: 2853
)	
Filed: October 12, 2005)	Examiner: Martin, Laura
)	
Title: PROCESS FOR INK JET PRINTING ON A)	
POROUS SUBSTRATE (as amended))	

RESPONSE TO OFFICE ACTION

Commissioner of Patents and Trademarks
U.S. Patent and Trademark Office
Randolph Building
401 Dulany Street
Alexandria, VA 22314

Sir:

This is in response to the Office Action dated July 9, 2009 and follows telephone discussion between the undersigned and the Examiner on July 16, 2009.

The purpose of the discussion was to call the Examiner's attention to what the applicant viewed as an oversight on the Examiner's part in taking the position that the reference to "porous substrate" (claim 1) only occurs in the preamble and, therefore, was given no patentable weight in considering the applicant's arguments opposite the rejections of record (Action, page 6, 4th ¶).


In the discussion with the Examiner, the undersigned noted that claim 1, in its process recitation, calls for ink jet printing an ink as defined onto "the substrate" (claim 1, lines 2-3). The reference to "the" substrate obviously refers back to the porous substrate mentioned earlier in the claim. Hence the use of a porous substrate is in fact a claimed part of the applicant's invention and needs to be taken into account in considering the allowability of the present claims. Furthermore, the applicant respectfully submits that his claims, as so considered, distinguish patentably over the art of record for the reasons noted in his response of April 17, 2009, pages 6-9.

It appears from the Examiner's comments in the last ¶, page 6 of the Action that her objection to allowance of the claims was because the claims, in the

Examiner's view, did not include language distinguishing from the art. However, it is submitted that the claims do in fact distinguish over the art and should be allowable. Accordingly, the Examiner is requested to reconsider each of the Section 103(a) rejections of record in view of the foregoing and the applicant's position as set out in the response of April 17, 2009, particularly pages 6-9 incorporated herein by reference. The Examiner's newly cited U.S. 4,732,613 does not fill in the substantive deficiencies of the Examiner's other references as noted in the applicant's earlier response.

Consistent with the foregoing, the applicant submits that the application is in condition for allowance and such action is requested. In the event the Examiner should maintain the rejections of record, it is requested that the finality of the Action be withdrawn in view of the citation of new art (U.S. 4,732,613).

Respectfully submitted,
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By 
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